

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2636 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL

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1. Whether Reporters of Local Papers may be allowed
to see the judgements? No

2. To be referred to the Reporter or not? No

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3. Whether Their Lordships wish to see the fair copy
of the judgement? No

4. Whether this case involves a substantial question
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder? No

5. Whether it is to be circulated to the Civil Judge?
No

R.V. PANCHAL

Versus

ADDITIONAL DIRECTOR

Appearance:

MR RC JANI for Petitioner

MR. A.J.DESAI, LD.ADDL.GOV.T.PLEADER FOR Respondents

CORAM : MR.JUSTICE B.C.PATEL

Date of decision: 14/08/96

ORAL JUDGEMENT

The joint Secretary, Gujarat State T.B.Employees Association has filed this petition for directing the respondents to publish Recruitment Rules for promotion of T.B. Supervisors for the posts of Laboratory Technicians under National T.B. Control Programme and the implementation of the same without delay (in as much as

the posts are sanctioned upto March 1986 only). Earlier one petition was filed in this Court being Special Civil Application No. 1001 of 1985 through one Mr. G.B. Patel, Secretary of the said Association. When the matter was placed for admission, learned counsel for the petitioner made a statement before the Court, upon the instructions of the members of the Association that, the Recruitment Rules have been framed and requested the Court to grant permission to withdraw the same. Thereafter the present petition is preferred.

The present petition has become infructuous in as much as the posts were sanctioned upto 1986 and there is nothing on record placed by learned counsel to show that the posts which were sanctioned in 1986 only, still continue to operate. It appears that some posts were sanctioned under a programme and if the programme time is over, there is no question of entertaining the petition, the same has become infructuous. Hence the present petition is rejected. Rule stands discharged.
